

**AFFIDAVIT**

I, Trooper Jillian Yeager, being duly sworn, depose and state as follows:

**INTRODUCTION**

1. I have been employed as a trooper with the West Virginia State Police since March 24, 2014, and I was previously a deputy sheriff in Fayette County, West Virginia, for 27 months. I am currently assigned to the West Virginia Crimes Against Children (ICAC) Task Force, which is responsible for investigation cases involving the sexual exploitation of children via the Internet. I am also a member of the Federal Bureau of Investigation (FBI) West Virginia Human Trafficking and Child Exploitation Task Force.

2. I have attended the West Virginia State Police Academy, which includes curriculum on conducting criminal investigations. I have investigated hundreds of criminal cases. These offenses include trafficking of child pornography, use of minors in the production of child pornography, sexual solicitation of children via the Internet, child sexual exploitation, child sexual abuse, child sexual assault and criminal use of the Internet and computers.

3. I make this affidavit in support of an application for a criminal complaint against JAMES EDWARD COOK, age 42, charging him with a violation of 18 U.S.C. § 2422(b). That statute makes it

illegal for any person, through use of a means or facility of interstate commerce, to attempt to persuade, induce, entice, or coerce a minor to engage in sexual activity for which any person can be charged with a criminal offense.

4. The information contained in this affidavit is based on an investigation conducted by a law enforcement employee acting in an undercover capacity and information I obtained from other law enforcement officers involved in this investigation.

5. Since this affidavit is being submitted for the limited purpose of establishing probable cause, I have attempted to summarize the most relevant facts that establish the requisite probable cause. Therefore, I have not included each and every fact of this investigation. Additionally, where conversations or statements are related herein, they are set forth in substance and in pertinent part.

#### **PROBABLE CAUSE**

6. On December 21, 2021, I received a call from a trooper working in the Beckley, Raleigh County, West Virginia, office. That trooper told me that he had been contacted by a concerned citizen from California. This concerned citizen had posed as a minor on a social media account to chat with online predators, and that he was currently chatting with a suspect from Raleigh County on Facebook Messenger. The suspect had initiated the conversation

on or about December 6, 2021. The suspect had expressed interest in meeting with a person whom he believed to be a 9-year-old female child in the Raleigh County area.

7. I immediately contacted the concerned citizen to take over this account as I have received specialized training in undercover chat investigations. On December 28, 2021, I received signed consent to take over the account and began chatting with the suspect.

8. In the chats, the suspect stated that he wanted to meet the purported child to give her "Christmas gifts." When asked what the gifts were, the suspect replied that they were to be a surprise, and he shouldn't have told her he was giving her a phone.

9. The purported 9-year-old responded by stating that she was only 9 and would have a problem being able to meet the suspect. The suspect told her that they could find a way to meet up.

10. Throughout the chat, the suspect asked the purported child for a photograph of her full body and tells her "don't be shy." The suspect continually asked for the purported child's home address.

11. The suspect repeatedly attempted to engage in sexual conversation with the purported child. He asked her several times if she was "horny" and explained that being horny "makes your pussy wet and sensitive." The suspect also stated that he wanted to

take the purported child's virginity. The purported child responded by asking, "What is virginity? How do u take it?" The purported child also needed the suspect to define other sexual terms, such as "horny" and "pussy", and she told the suspect, "Sry I dunno these things."

12. The suspect continued the sexual conversation by telling the child to undress, go to her room alone, and call him on Facetime so they can "get it rite."

13. Further into the conversation, the suspect asked the purported 9-year-old girl if she had ever snuck out of her house and encourages her to sneak out so she can meet him and "spend the night together."

14. The suspect continued to tell the purported child that he would teach her how to have sex, and she would "get to feel all of my love in you." He also told her that he was her boyfriend now, and they could have a frequent sexual relationship. He told her that she was not allowed to tell anyone about it.

15. Further into the conversation, the suspect told the purported child that he would teach her how to make a baby and show her how to get pregnant. When the purported child reminded him that she couldn't get pregnant because she was only a 9-year-old, he responded by saying, "True but do you know how to?"

16. In the chat conversation, the suspect told the purported child that he had a "big sexy dick" and that she would have to follow his instructions and submit to him so he could teach her. He then told her to let him know when her aunt went to sleep so he could come meet her. They agreed to meet in the back parking lot of Liberty High School, in Glen Daniel, Raleigh County, West Virginia.

17. On the same date, the suspect directed the purported 9-year-old to make an audio call. In the call, the suspect advised the purported child that he was just going to find a ride and pick her up to bring her back to his house. He further told her to take a shower "real good down there" and to wash her "ass" and "pussy". He further told her that he had a "really nice dick" and that the night would be "awesome". He also stated that he would "put it in her real good," and that he would kiss her pussy before he put it in. He told her that he would make her orgasm before putting his "dick" in her. In the recorded audio call, the suspect told the purported child that he was going to film himself having sexual intercourse with her.

18. On that same date, the suspect had the purported child call him again. In the second audio call, the suspect told the purported child that he would be leaving soon, and she was to meet him at the school. He told her that she was to tell the driver

that she was the suspect's girlfriend's daughter. He finally told her to bring a "sexy little outfit."

19. After the phone calls, in the chat conversation, the suspect asked the purported child if she would perform oral sex on him when they meet.

20. Later on that same date, I and other law enforcement officers waited for the suspect to arrive. At 2030 hours, a white vehicle pulled into the parking lot of Liberty High School in Raleigh County, West Virginia. A male driver and passenger were in the vehicle. The driver of the vehicle was interviewed by investigators and agreed to make a statement. He stated that James Cook told him he needed to pick up his girlfriend's daughter who was 10 or 11 years old because she had been left alone by her aunt. The passenger, identified as the suspect James Edward Cook, was arrested at that time.

#### **CONCLUSION**

21. Based upon the information provided above, your affiant alleges that there exists probable cause to believe that JAMES EDWARD COOK knowingly violated 18 U.S.C. § 2422(b), in that between on or about December 6, 2021 and December 28, 2021, he knowingly attempted to persuade, induce, and entice a person he believed to be a 9-year-old minor to engage in sexual activity for which any person can be charged with a criminal offense. Such criminal

offenses include, but are not limited to, First Degree Sexual Assault under West Virginia Code §61-8B-3 and a violation of 18 U.S.C. § 2251(a) and 18 U.S.C. § 2251(e), which would be committed if COOK recorded the sexual activity with the purported 9-year-old as he stated he would. COOK used a means and facility of interstate commerce to engage in this attempt to persuade, induce, and entice the minor in that he used the Internet and cellular networks. COOK engaged in substantial steps to corroborate his intent to persuade the minor to engage in sexual activity, lying to obtain a ride to meet the purported child and traveling to Liberty High School to meet her.

Further your Affiant sayeth naught.



Jillian Yeager  
Trooper  
West Virginia State Police

Signed and sworn to by telephonic means this 26th day of January, 2022.



OMAR J. ABOULHOSN  
United States Magistrate Judge